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SENATE JOINT RESOLUTION 10
49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY
Timothy M. Keller

A JOINT RESOLUTION
PROPOSING AN AMENDMENT TO THE CONSTITUTION OF NEW MEXICO TO
ESTABLISH THE NUMBER AND QUALIFICATIONS OF MEMBERS OF THE
BOARDS OF REGENTS OF THE STATE EDUCATIONAL INSTITUTIONS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. It is proposed to amend the constitution of
New Mexico by repealing Article 12, Section 13 and enacting a
new Article 12, Section 13 to read:

"A. The legislature shall provide for the control
and management of each of the state educational institutions
enumerated in Article 12, Section 11 of the constitution of New
Mexico by a board of regents for each institution.

B. The board of regents for New Mexico state
university, New Mexico institute of mining and technology,
eastern New Mexico university, western New Mexico university,

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1 New Mexico highlands university and northern New Mexico state
2 school shall consist of seven members nominated, appointed and
3 qualified as provided in Subsection D of this section.

4 C. The board of regents for the university of New
5 Mexico shall consist of nine members nominated, appointed and
6 qualified as provided in Subsection D of this section.

7 D. For each educational institution enumerated in
8 Subsections B and C of this section:

9 (1) one of the members of the board of regents
10 shall be a faculty member of the institution nominated and,
11 with the consent of the senate, appointed by the governor from
12 a list provided by the faculty senate of the institution;

13 (2) one of the members of the board of regents
14 shall be a student at the institution nominated and, with the
15 consent of the senate, appointed by the governor from a list
16 provided by the president of the institution. The president,
17 in making the list, shall include recommendations of the
18 student body president of the institution;

19 (3) all other members of the board of regents
20 shall be qualified electors of the state who have demonstrated
21 an interest in post-secondary education in New Mexico and in
22 the educational institution to which the person is nominated
23 for appointment; and

24 (4) the governor shall not nominate or appoint
25 a person who has contributed more than one thousand dollars

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1 (\$1,000) to any of the governor's gubernatorial campaigns, and
2 no more than a simple majority of the members of a board of
3 regents shall be members of the same political party at the
4 time of their appointment.

5 E. The term of the faculty and student members of
6 the boards of regents enumerated in Subsections B and C of this
7 section shall be two years; the terms of appointed members
8 shall be six years.

9 F. The boards of regents of the New Mexico military
10 institute, New Mexico school for the deaf and the New Mexico
11 school for the blind and visually impaired shall consist of
12 five members, no more than three of whom at the time of their
13 appointments shall be members of the same political party. The
14 governor shall nominate and by and with the consent of the
15 senate shall appoint the members of each board; provided,
16 however, that the governor shall not appoint a person who has
17 contributed more than one thousand dollars (\$1,000) to any of
18 the governor's gubernatorial campaigns. The terms of the
19 members of the boards of regents shall be six years.

20 G. A vacancy on a board of regents shall be filled
21 in the same manner as the original appointment; provided that
22 the appointment of a person to fill a vacancy shall be only
23 until the expiration of the original term. A member shall not
24 be removed except for incompetence, neglect of duty or
25 malfeasance in office. No removal shall be made without notice

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1 of hearing and an opportunity to be heard having first been
2 given the member. The supreme court of New Mexico has
3 exclusive original jurisdiction over proceedings to remove
4 members of the board under such rules as it may promulgate, and
5 its decision in connection with such matters shall be final.

6 H. The members of the boards of regents serving at
7 the time this amendment is certified by the secretary of state
8 may fill out the remainder of their terms, regardless of the
9 qualifications provided in Subsection D or F of this section."

10 Section 2. The amendment proposed by this resolution
11 shall be submitted to the people for their approval or
12 rejection at the next general election or at any special
13 election prior to that date that may be called for that
14 purpose.

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